OFFICERS CLAIM THEY USE AUTOS IN ARMY SERVICE

Captain Cassels' Suit Against Assessor Wilder On Trial Before Judge Ashford

MANY SERVICE MEN APPEAR IN COURT

Witnesses Claim Machines Are For Government As Well As **Private Convenience**

That army officers use their automo biles as much for official business as for their own ersonal and private purposes was the gist of the testimony giv en before Judge Ashford yesterday by Col, Daniel L. Howell, of the First Infantry, Schofield Barracks; Lieut. Col. Juhn E. McMahon of the same regiment; Capt, Arthur P. Cassels (the petitioner) of the same regiment, and apt. John S. Fair of the Fourth Caval-Ty, also at Schofield Barracks.

This testimony came out in the trial of the suit instituted by Capain Cassels agains Charles T. Wilder, tax asses hor for Oahu, the aim of the action be ing to prevent the assessor from col-Leting taxes on automobiles owned by service men and which on January of each year, as of which date all property assessments, specific and other-fre, are made, were located on military reservations on Oahu. Enfore Supreme Court Once

case in its unamended form, has which sustained the demurrer filed by ttorney General Stainback to the comaint, Associate Justice Quarles, auther of the opinion, going even so far us to decide that such automobiles are of exempt under the law of the Territory from taxation and suggesting that examination as is now sought could be obtained by specific enactment law to such effect by the legisla-

Captain Cassels sought and was tranted permission by Circuit Judge Stuart to amend his complaint. The mended complaint states that his ausolvile is used for official purposes and is therefore, exempt from tax-ation. It is on this claim that the case is being now tried before Judge Ashford. Further trial will be resumed it half-past one o'clock tomorrow af-Tany Officers In Court

There were two score officers in court restorday, from the different army posts of the city and island, and it is expected that most of them will tesify. A subpoena was issued for Brig-Gen. John P. Wisser, commander of the army in Hawaii, but whether or not he will appear as a witness is not known at this time. He was not in

Court yesterday. ... Each army unit has from thirty-five o forty-two line officers, it was claimdereterday, and as many as fifteen in the mainland of the United States some of the superior officers are fur-maked with automobiles by the governsent, it was claimed yesterday that when application was made for these by Hawalian officers this was turned down on the plea that the appropria-tion available was not enough to go around and reach Hawsii. Government Does Not Pay

One officer, Captain Pair, testified that he covered easily a thousand miles month with his automobile on official business, but was not paid a cent for its use by the government. These ma-chines are used regularly in the military service, in the working out of war moblems and other topics of army life. It is customary, it was said yesterday, for the commander of a regiment request such officers as have matines to place them at the disposal of the service and such officers as have no nes are given a lift in those of hers. Many illustrations of this pracwere given in the witness stand. One Demurred, But—

se officer demurred when his super asked that his machine be used in execution of a certain service. He tested against using his private perty when the government did not him for it. The use of the mawas not insisted on. The superimachine of another officer.

petitioner and these were argued at great length, and warmly at times, ng occasion often for rapid-fire Ford Instead Of Automobile

at in the ripple of mirth the judicial amount. abacryation brought forth.

NEW CITY ENGINEER ASSUMES HIS DUTIES

City Engineer George Collins has n hold of the work of his new office n rush and among the first things o be done will be the placing of five-cot extremts in Namanu avenue to take ire of future ram storm water and the eper drainage of Kaukanahua gulia the read was recently washed out

ANNUAL REPORTS OF TWO BOND ISSUES COURTS NOW READY

Judges Ashford and Stuart Show Much Work

circuit court, presided over respective-Joseph K. Cullen of the first and Clerk Beujamin N. Kahalepuna of the third, with the aid of their assistants. The report of Judge Whitney's court, the second division, prepared by Clerks A. Kalei Aona and Charles M. Hite, was published in The Advertiser last Mon-

day, Judge Ashford's Report During the year there were 180 arrests made as the result of bench warrants issued on indictments brought by the territorial grand jury, eleven arrests upon infor-mation, and 363 appeals and commitments from the district courts of the island, mainly from the police court of Honolula. Of the trials had, there were 257 convictions and thirty acquistals. Other cases were disposed or as follows: 121 nolle presequis entered 142 appeals withdrawn, three appeals dismissed and thirteen at seals stricken from the docket.

Those who were convicted were, by nationality and races, as follows: How They Stack Up

Citizens—Chinese, 0; colored, 13 Hawaiian and Part-Hawaiian, 34; Jap nese; 0, and white, 53. Nationals-Filipine, 23, and Porto Rican, 12.

Aliens-Chinese, 73; Japanese, 36; Korean, 9; Portuguese, 0; Russian, 1 Spanish, 2, and nationality not given, Other than criminal, Judge Ashford's report shows: Nine civil cases tried one by jury, four jury waived and four at chambers. In three cases judgments were given for the plaintiffs and one for the defendant. One writ of habeas corpus was granted; also one petition each for habeas corpus and mandamus dismissed. One mandamus and one damage suit discontinued. In probate six administrations were granted, one adoption, five guardinnships, one administrator de bonis non appointed, one petition for family allowance, one peti tion of guardian to make investment and one trustees' accounts approved Two wills were admitted to probate.

In equity, one bill to set aside arti eles of adoption was dismissed; two bills for partition of land granted, and one bil for injunction discontinued. Judge Stuart's Division

Judge Stuart's Court-Actions law, ninety-eight tried by jury and 253 ut/ waived. Disposition—assigned, 16 judgements for plaintiffs, 101; for de fendants, 34; non-suits granted, 4; dismissed, 36; discentinued, 156; strick en from the docket, 4. Total number of cases disposed of 351, pending, 132 Total number of cases, including appeals from district courts, 483. Bills in Equity-How disposed of: Details lacking, table incomplete, ex

cept that total number of cases was Divorce-Fourteen granted, gix to

whites, six to Japanese, and two to Koreans. There was one probate matter dis posed of in Judge Stuart's subdivision during the six months ending December

31, a petition for the appointment of guardian, which was granted. A full report of the work of the three divisions of the first circuit court is now being prepared and will be submitted by Judge Ashford to the su-

SUPERVISOR EXPLAINS CITY CASH BASIS FUND

Latter Never Has Been Considered Asset of Treasury

Supervisor Daniel Logan, chairman of the finance committee of the board of supervisors, is quoted as saving that there is no foundation for the statement made by the deputy bank examiner in his report of the condition of that the cash basis fund was taken into consideration at the time of making appropriations."

told the officer that if he did not ed as an asset by the beard in making are to use his auto he might get into appropriations, says the supervisor, but The cash basis fund was not considerthe city treasurer was advised by Lo-And did he do that?" Asked Judge gan to make use of the fund rather than to register warrants. Logan also than to register warrants. Logan also states that the legislature saddled many thousands of dollars on the municipality for court expenses after the There were many objections raised uring the trial yesterday to questions in appropriating \$20,000 for the investigated to witnesses by the lawyers for gation of the water problem of the city first semi-annual appropriations were was done, mainly at the beliest of the

chamber of commerce. According to the interview with the chairman of the finance committee the supervisors have taken steps to wipe At one stage of the trial Judge Ash- out \$75,000 to \$80,000 of the deficit and maked an officer if it would be mentioned by the bank examiner and same thing if he used a Ford in the savings in appropriations will bring ed of an automobile. The reply was the so-called deficit down to a small

POSTOFFICE STAMP SALES SHOW GROWTH

Sales of stamps in the local post office amounted to more than \$20,000 during the month of December. For the last quarter they were more than \$4,000 in excess of the same quarter for the year 1914. Stamps sold in October, November and December of 1915 amounted to \$42,304.43 and for the same time in 1914 to \$38,609.09.

MAY BE REFUNDED

Work of Divisions Headed By Total Amount Involved is \$1,-750,000 and Object Is To Reduce Interest

Annual reports of the work of the Initial steps have been taken by first and third divisions of the local Governor Pinkham and Territorial Treasurer McCarthy to refund the two is-

Under the law the Territory has the right to redeem these issues at any time five years the date of issue, in this case, October, 1903, and January, 1905. The bonds are fifteen year bonds. It is necessary, of course, to secure the permission of the Washington authorties, but this is a mere matter of routine, and the first steps already have been taken.

The matter has been in hand for some ime, as the interest that the Territory is paying on these bonds is believed to be too high, ranging as it does from four and a quarter to four and a half per cent. It is believed that the refunding operation will cut this interest charge to four per cent, and may not the Ter-

HAWAIIAN BOYS ARE FIGHTING WITH ALLIES

Some Are In French and Others In British Trenches

The experiences of a Honolulu boy in the trenches with the French army, are detailed in a letter to his brother, Fred M. Kahea, which was received here in the Manon.

George Healii Kahea, the son of Ma-ria Beckley Kahea, is the lad in ques-tion. He left here in the Missourian with sugar and passed through the canal, arriving in New York where the vessel loaded horses for Marseilles, France. He, with fourteen cher Hawaiians, jumped the ship there and after

Kahea became separated from his friends and during several months hard the chamber. campaigning saw or heard nothing of of the other boys were lulu. The names of the other boys were

During a skirmish Kahea was cap-tured. He was imprisoned in Germany and after several months of hardship and after several months of hardship managed to make his escape and get to England, where he enlisted in Derby-He has served several months with his company and by attention to duty has been promoted to be a corporal He sent a picture of his squad and himself to his brother.

Arriving by the steamer W. G. Hall from Kauai yesterday morning were depositions from Port Allen and the master of the bark British Yeoman relstive to the wreck of the bark Ivanhoe at Port Allen a few weeks ago.

J. W. Waldron, consul for Chile, yes-terday paid off all but one of the surterday paid off an out one of their viving sailors of the Ivanhoe, their viving sailors each. Mr. wages averaging sixty dollars each. Mr. Waldron paid to the nine men \$545.63. The captain, first and second mates,

bo'sun, ship's carpenter and one seaman will be taken back to Chile by the break through to Calais. steamer Kiyo Maru, leaving here Feb-

Having been paid off, the other members of the crew will have to shift for themselves.

In 1914 the total value of all farm products in the United States was approximately \$10,000,000,000, which is \$83,000,000 more than the total for Missing . 1913, and breaks all records. The 1914 Prisoners of war (of whom woundtotal is more than double the combined municipal affairs "that it is evident value of farm products fifteen years

COMMITTEE MEETS

pointed To Represent Hawaii At Washington Convention

The first and probably last meeting national security, appointed by the presly by Judge Ashford and Judge Stuart, were completed yesterday by Clerk Joseph K. Cullen of the first and Clerk funded bonds will be \$1,750,000. Chairman George H. Renton called the meeting to order and Senator A. L. Castle was unanimously elected to the

office of secretary. The call of the National Security the present month was read and it was the sense of the meeting that the Dele gate to Congress and S. M. Ballon, now gate to Congress and S. M. Ballon, now in Washington, be/named as the delegates to represent Hawaii. They were given power to select such other citizens of the Territory who hight happen to be in Washington, to assist them in the deliberations of the congress, as representatives from Hawaii.

The delegates will be portified by accommodate the congress of the congr

The delegates will be notified by ca-ble of their powers and the action of the committee. Those present at the meeting were Wade Warren Thayer, John C. Lane, R. H. Trent, L. T. Peck, George H. Renton and A. L. Castle.

KILAUEA NATIONAL PARK PROJECT MAY BE HELD UP

The bill recently introduced in congress by Delegate Kuhio, setting aside land for the Kilanea National Park, has caused action to be taken by the chamber of commerce looking to its delay in passage until it can be de-termined which of two surveys should be included in it.

One survey made in 1911 included private property over which there was some dispute and a later survey was made which excluded this property. a while were taken into the French How it transpired that the former sur vev was used to describe the property be acquired is to be investigated by

It was discovered that the first and discarded survey was used when the Sol, Kahanui and Low, both of Hono- Delegate sent a calllegram to get the prices of the privately-owned property included in the survey. This led to the request for the holding up of the bill.

taken in England prior to the battal better field between local teams will ion's departure for active service the front. The photograph is specially interesting as it shows the portraits of four men who left Honolulu last year to join the British army,

These are Lauce Corporal Alex. Hunter and Privates V. Woodburn-Heron. Frank Brolan and E. F. K. Shackleton. The 3rd Battalion of the London Scottish is still undergoing training in England, while the 1st Battalion has been over in France for over a year, where it received its baptism of fire at Messines on October 31, 1914, when it helped to hurl back the famous Prus sian Guards in their futile attempt to

Since Messines, the 1st Battalion of the London Scottish has taken part in several severe actions including the ad-

vance at Loos on Sertember 25.
Up to the end of November last the asualties among the officers and men of the 1st Battalion were as follows: Killed in action or died of wounds, .138

ed 14) 19

SPORTS

Kuhio and Sidney M. Ballou Ap- EXPECT BIG YEAR IN POLO CIRCLES

for a long time of the committee on Indications Point To Many Exciting tournaments Throughout Pacific Coast In 1916

Polo is expected to have one of its best sensons on the Pacific Coast during 1916. The Pasama-Pacific exposition tournament held last spring, while it furnished as keen competition League to the committee, to appoint while it furnished as keen competition representatives to the congress to be as the most ardent follower of the hele in Washington on the twentieth of game could wish, was not the success that was hoped for owing to its loss of international flavor due to the Euroreason mentioned and also because of the chill winds which made it uncomfortable for the spectators. On this account the general public was not educated up to the game to the extent hoped for. Nevertheless thousands who had never seen the game were initiated into its thrill and the result is expected to bear fruit in the seaon's attendance Such well known stars as Malcolm

Stevenson, C. Perry Bendleston, C. N. Hechsher and Thomas LeBoutillier II all of the famous Eastern Meadow brook team are expected to be seen in action on the coast when the season opens about the middle of this mouth. The team has decided to take part in the tournaments of the Pacific Coast circuit which will be played at the Coronado Country club, Pasadena, San Mateo and Midwick polo clubs. Midwicks gave an excellent account of themselves in the exposition towns ment and generally are expected to ex-hibit some brilliant play during the eason. The forty days of exposition play gave them some excellent experience. J. Eugene Geer, the Eastern polo expert who scored the exposition contests was impressed by them and expressed the opinion that the members the team, with another season of play together to perfect their team work, would become formidable rivals for any four in the country with the exception of a national combination. If the exposition stadium, which is n government ground, with its playing field is conserved according to the present plans, it is expected that there vill be a tremendous boom for polo in army circles, and it is believed the chances are bright for a number of officers' teams to be in the field, The contests in which the soldiers took part last spring were among the most popular and interesting of the entire tour-

nament With an excellent field close at hand for practise the army players, according to polo enthusiasts, would soon offer a stiff opposition and infuse no end of interest into any coast tournaments in which they were entered. In the makai window of Thrum's store, Fort street, is exhibited a fine clear photograph—(four feet six inches iong)—of the 2nd Battalion, London Seottish Regiment, which was recently taken in England prior to the battal. begin in about a week or ten days. expected to participate in the various games are Richard Tobin, Harry Hast-ings and Felton Elkins. Others are: Dr. H. J. Boeseke, C. P. Dabney, F. W. Leadbetter, Edgar Park, Arthur Ogilvy, and Boeseke Jr.

JOHNSTON PASSES UP WINTER TENNIS GAMES

According to report, William Johnston, national singles tennis champion, already has made up him mind to re turn East next year and defend his title. He also is quoted as saying that he does not intend to enter into any competition during the winter. This latter statement has been received with satisfaction by tennis followers in general, and his friends in particular the reason that his indifferent showing during the earlier part of last season has been ascribed to the fact that he was stale from overplay.

Johnston is a comparative youngster who is not considered as yet to have reached the fullness of his strength, or the height of his game, and it is generally believed that if he uses ordinary judgement in the matter of his practise, that he will defend his honors successfully for some years to come.

AL. BAUM'S LEAGUERS TO START APRIL 4

(Associated Press by Pederal Wireless.) SAN FRANCISCO, January 6.— At the meeting of the schedule committee of the Pacific Coast Baseball League held here yesterday it was arranged for to o, en the 1916 season, Tuesday, April 4, with games at San Francisco, Los Angeles and Salt Lake City. President Allan T. Baum and Manegers McCredie of Portland, Wolverton of San Francisco, Blankenship of Salt Lake, Patterson of Vernon and Powers of Los Angeles were present.

CROUP. Every young child is susceptible to Don't wait until this dreadful disease attacks your little one before

PLAN THREE BIG

Lorrin Andrews Backed By A. A. U. To Hold Handicap and National Title Events

Three big awimming meets are practically assured for Honolulu during the coming year. First will be the Carnival events next month in which Norman Ross of the Olympic Club of San Fran cisco, Miss Frances Cowells, Pacific Coast champion woman swimmer, and Laidy Langer of the University of California, champion long distance swim-mer of America will compete against pean war. The attendance also fell the local swimmers. Either in April or short of what was expected for the May there will be a handicap meet reason mentioned and also because of while in July the National 100-yards championship will be settled here.

Lorrin Andrews, secretary of the Hawalian Branch of the A. A. U. and president of the Oahu League, who has returned from Washington, has the as-surance of Frederick W. Rubien and G.

> and the championship meet will be held in Honolulu harbor. The handicap meet will be something new to Hawaii. It is one of the biggest swimming events in Australia and the plans here are to carry on the meet in exactly the same manner as are the Australasian meets. Prizes are awarded in the form of kodaks, wrist watches, suit cases and other merchandise. the value of the prize being graded in such a manner that they take the place

of gold, silver and bronze medals.

Handicap meets mean the development of swimmers for under this system it is possible for the novice to compete with the champion, and still win a prize. Handicap meets in Honolulu will be welcomed by the soldiers, for under the rules, none of them will be barred nor need be afraid of being outdistance ed at the very start because a cham-pion happens to be in the race. Local swimmers, like Duke Kahanamoku who the Famous Tourist Boute of the World are familiar with the system believe it will be one of the best things ever adopted in the swimming line in Ha waii.

In July will come the National 100yards outdoor champonship. Andrews arranged with the governing body of the A. A. U. whereby two swimmers from Hawaii-Lane and Kahasamokuwould journey to Chicago in March and take part in the National indoor cham pionships with the proviso that two swimmers come here in July. The two swimmers from the mainland will be the two best swimmers at the conclus ion of the elimination trials to be held throughout the States and following he Chicago meet. Swimming followers tre already picking Arthur Raithel and Hebner of the Illinois Athletic Club as the winners at Chicago.

While in New York Andrews took up

the baseball question in Hawaii and was informed that the A. A. U. would be governed by the decisions of the Intercollegiate committee on baseball. This committee will no doubt draft rules which will not interfere with a man's college standing should he play base ball outside of the college team and in the ranks of the prof against professionals, provided he does Among the well known players who are not take money. As there is always a way where there is a will, the amateur baseball player will find means of playing baseball without jeopardizing his standing.

MORAN PARTICULAR **ABOUT HIS MATCHES**

Word has reached New York from New Orleans that Frank Moran has turned down an offer to meet Fred Fulton there over the 20-round dis tance, although the promoters promised would get the chance to meet Jess Willard at a later date. Moran's reply was to the effect that he would meet Willard or no one, as he was of the opinion that he had already estab lished his right to the match. Moran seems to be making a hig

mistake. His contention that he estab-championship match by defeating Jim Coffey is contrary to general opinion of the subject. As a matter of fact, Coffey is merely a local idol and is prac tically a stranger to the fans of other cities. That Moran's victory was not regarded very highly in other sections of the country was made apparent by the recent on accorded the Pitaburger the recept on accorded the P ttsburger in his home town recently.

Instead of showing pride in the burly blonde Pittsburgh's fans caused him much embarrassment by inquiring why he did not clear little Jack Dillon

from his path. If Moran were wise he would make hante to dispose of Fulton, who is rapidly becoming more dangerous as he gains experience. Unless the Rochester giant proves to be a false alarm it will income tax blanks. Persons and connot be long before he has more followers than the Pittsburger, and the lat-Willard's next opponent is selected. From all accounts Fulton is male to

order for Moran. It appears that Fulton, like Coffey, is inflicted with a glass jaw. Practically every man of been able to send him to the floor at ried men. some time during the engagement.

Backfield football players still hold you prepare for it. It comes in the their ascendency when it comes to se night when chemists' shops are usually lecting captains for the gridiron maclosed, and this alone should be a warn chines. Out of thirty-one leaders electing. Get and keep Chamberlain's ed to head the big college teams of Cough Remedy on hand. It never fails, next fall, eighteen have been named acts quickly and is absolutely harmless. from men who have won their 'varsity For sale by all dealers. Benson, Smith letters while playing behind the scrim-& Co., Ltd., agents for Hawaii. mage line.

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tance, although the promoters promised him that if he defeated Fulton he HAWAIIAN GAZETTE

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HAVE BEEN SENT OUT

Internal Revenue Collector Haley yesterday announced that his office has sent out all corporation and individual cerns which fail to get their blanks are not thereby exempted from the pay may find himself side-tracked when ment of the levy, declared the coll

These blanks, properly filled in, must be returned before March 1. There is an idea that married men with incomes of but \$3000 do not have any experience who has faced him has to file these blanks, but this is not co The rule holds for both single and mar

COLDS CAUSE HEADACHES

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